

EXHIBIT C

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E.L.C. 310

CHARGE OF DISCRIMINATION		AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER 846-2010-55217
This form is affected by the Privacy Act of 1974; See Privacy act statement before Completing this form.			
NYS Division of Human Rights State or local Agency, if any			
NAME (Indicate Mr., Ms., Mrs.) Ms. Darcy M. Black		HOME TELEPHONE (Include Area Code) (716) 694-4423	
STREET ADDRESS 253 Payne Avenue, Lower		CITY, STATE AND ZIP CODE North Tonawanda, NY 14120	DATE OF BIRTH 12/15/70
NAME Black Angus Meats a.k.a. Boulevard Meats		NUMBER OF EMPLOYEES, MEMBERS unknown	TELEPHONE (Include Area Code) (716) 691-4554
STREET ADDRESS 2519 Niagara Falls Boulevard		CITY, STATE AND ZIP CODE Amherst, NY 14228	COUNTY Erie
NAME Robert and Diane Seibert		TELEPHONE (Include Area Code) (716) 691-4554	
STREET ADDRESS 2519 Niagara Falls Boulevard		CITY, STATE AND ZIP CODE Amherst, NY 14228	COUNTY Erie
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box (es)) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input checked="" type="checkbox"/> OTHER Equal Pay			DATE DISCRIMINATION TOOK PLACE EARLIEST (ADEA/EPA) LATEST (ALLL) 5/16/04 5/25/10 <input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)) See Attached Exhibit "A"			
<input checked="" type="checkbox"/> I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone Number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief	
I declare under penalty of perjury that the foregoing is true and correct.		SIGNATURE OF COMPLAINANT Darcy M. Black 12/16/2010	

I am a Caucasian female. I worked for Respondent since May 16, 2004. My last position was Wrapper-Packer-Cleaner.

Upon information and belief, similarly situated males such as Mark Liable, Jamie Lapres, Sean Round and Patrick Howell have been paid at a higher salary rate for doing similar work.

I worked at Respondent for approximately six years. I was paid \$10.00 per hour.

Mark Liable, an approximately 24 year old male, who was hired in approximately 2009 and worked as a Wrapper-Packer-Cleaner, was paid approximately \$12.50 per hour.

Jamie Lapres, an approximately 34 year old male who was employed by Respondent as a Wrapper-Packer-Cleaner during the time of my employment, was paid approximately \$13.00 per hour.

Sean Round, an approximately 34 year old male who was hired in approximately May 2005 as a Wrapper-Packer-Cleaner/Driver, was paid approximately \$12.50 per hour. Further, upon information and belief, he received a \$2.00 raise on or about June 2010, approximately one month after my termination, and is earning approximately \$14.50 per hour.

Patrick Howell, an approximately 39 years old male, worked as a Wrapper-Packer-Cleaner from approximately October to March each year during the time I was employed by Respondent. Upon information and belief, he was paid \$10.00 per hour off the books and was collecting unemployment at the same time.

Another similarly situated female, Debbie Nygrich, who has worked for the Respondent over 20 years as a Wrapper-Packer-Cleaner/and longer than all the similarly situated males, has also been paid at a lower salary than similarly situated males. She was paid approximately \$10.50 per hour.

The Owner's daughter, who also worked as a Wrapper-Packer-Cleaner, is the only female who has been paid at a high salary rate.

In approximately March 2010, I requested a salary increase, but was denied.

In addition, males have been subjected to better terms and conditions of employment. For example, males do not call in when they are going to be absent, they come in late or take several breaks to smoke, and they are not reprimanded, but females are not allowed to do that without being reprimanded. My time has been scrutinized. Keegan Roberts, an approximately 26 year old male, was the manager for approximately the last 6 years of my employment. Often when I was on my break, he and/or the owner's wife, Diane Seibert, would ask where I was. He would watch my breaks so closely that I felt compelled to punch my time card when I took my breaks. When I would be on my break, he would come find me, look at his arm and pretend that he was looking at a watch.

Jamie Lapres is often 20 minutes to an hour and a half late for work and he is not reprimanded. Also, he would leave the work site and go behind the dumpster and smoke marijuana. Management was aware of this, but took no action against him.

Sean Round is permitted to come in late on Saturdays or leave early during the time he plays in a football league which is during the Summer and Fall of each year. During the rest of the year, he only has to work the first two Saturdays of each month. Further, approximately half of the days of the week, Sean would come in anywhere from a half hour to an hour and a half late and would mark on his time card that he had arrived at the scheduled time as opposed to the time that he actually arrived at work. Also, beginning in the Summer of 2009 until the time my employment ended, when Sean's girlfriend came to the store, he would leave the building and talk to her in his or her car or outside the building. Management was aware of this, but took no action against Sean.

Mark Liable, who was my partner at work in the pack room, was late approximately from 20 minutes up to an hour many days a week. Mark was also allowed to take smoke breaks throughout the day. Management was aware of this, but took no action against him.

Matt Marshall, an approximately 21 year old male who was hired in approximately 2008 and employed by Respondent as a Wrapper-Packer-Cleaner, was also allowed to take smoke breaks throughout the day. Management was aware of this, but took no action against him.

Brett, an approximately 21 year old male who was hired in approximately January 2010 as a Wrapper-Packer-Cleaner, would disappear during his shift and go to the bathroom, break room or out the back door and people would have to search for him. Management was aware of this, but took no action against him.

Males were also given preference for Saturdays off and females were not. Males were scheduled to have some Saturdays off each month, while the females were not given any Saturdays off unless they requested it in advance and even then, the females often were not allowed to take off. During my employment, I repeatedly asked to be scheduled off for even one Saturday a month and it was denied. In approximately April 2010, I requested a Saturday off four weeks in advance and was denied.

Also, the owner, Bob Seibert, and manager, Keegan Robert, would come into the pack room and say hi to the male workers, but would completely ignore me.

My co-workers and management are aware that my two children are multi-racial (Caucasian and Black). Racial comments were made by the owner and other employees about Black individuals and Black individuals were discriminated against with regard to employment opportunities.

Diane Seibert, the owner's wife, and/or Keegan Roberts, a manager, would do the hiring. When "Help Wanted" signs were placed in the door window of Respondent's facility for an open

position, Black individuals who applied for the position were not given interviews. Only Caucasian individuals who applied were given interviews. If Diane Seibert or Keegan Roberts were not at work, when they returned we would have to tell them whether the applicant was Black or White and whether he/she was presentable. No Black individuals were interviewed, hired or employed by Respondent during the time of my employment with Respondent, although approximately 50 Black individuals had submitted applications for employment. One Black individual applied almost every time there was a "Help Wanted" sign in Respondent's window and he never got an interview.

Raeleen Rush, approximately 23 years old, and her sister, Regina Rush, approximately 22 years old, were employed at Respondent as Wrapper-Packer-Cleaners during approximately 2004 to 2008 and earned approximately \$8.50 per hour. They both are Caucasian and had boyfriends who were Black. Both Caucasian females were harassed about having a Black boyfriend. Sean Round often told Raeleen Rush and/or Regina Rush that, "She would be better off with a white guy"; "She needs to be with one of her own kind" and asked them, "What is wrong with white guys?" They told him it was their choice and to leave them alone. Sean Round also told Raeleen that her boyfriend was using her to get her name because Black men always cheat and he probably has a lot of girlfriends.

During my employment, Sean Round would regularly say that he has to deliver to "Bob's Niggs."

During the time that I was employed by Respondent, Jamie Lapres (Caucasian male) and Shawn Round made racial comments to co-workers about Black individuals. They would make statements such as: "How can they have nice cars and get food stamps?" and "How come they have nice clothes and get food stamps?" They would refer to Respondent's Black customers as "Bob's Niggs." Nicole Seibert, the owner's daughter, and Keegan Roberts, manager, would laugh out loud. When a large Black individual with food stamps would come in the store and purchase filet mignon or strip steak, Nicole Seibert would either say the individual was too fat or why can't they get out and work.

Jamie would often say that the owner, Bob, would call Jamie on the telephone and say his "Niggs" are dirtying up the parking lot. More recently, on May 15, 2010, Jamie needed a key for the paper towel holder by the sink in the deli. He asked me if I could break into it. When I said no, he said, "You have two Black kids so you must know how." I told him my children do not steal, they don't break into stuff and why would he say that. He replied, "'cause they're niggers." I was very offended with his comments, so I complained to Debbie Nygrich and Tommy Howell (the butcher), (who are frequently in charge of the staff). Jamie was told that his actions were inappropriate, but he did not take it seriously. He said that I have to "get over it." I could no longer face the hostile work environment, so on May 25, 2010, I was constructively discharged. I tendered a resignation letter to the owner, Robert Seibert. I made him aware that I could no longer bear the harassment from Jamie, and that he had made a racial comment referring to my children as "niggers." The owner accepted my two-week notice and told me "stuff like that

happens all the time." When I asked him if it was okay for Jamie to refer to my children as "niggers," he said "it happens in sports and politics", so basically that I had to deal with it. He called Jamie in and asked him about it. Jamie said that we were not talking now and it was nice. I told Bob that I was very uncomfortable working around Jamie because of his comments. Bob said that he was uncomfortable with the situation so I could leave right now. I collected my belongings and I left crying.

I believe that I have been discriminated against because of my gender/female, and due to race discrimination/having two Black children, in violation of Title VII of the Civil Rights Act of 1964, as amended, and the Equal Pay Act.